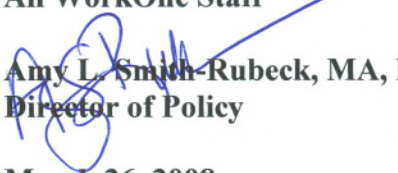




### **FORMAL COMMUNICATION**

**TO:** Regional Workforce Boards  
Regional Operators  
Indianapolis Private Industry Council  
Directors of Operations for Northern & Southern Indiana  
All WorkOne Managers  
All WorkOne Staff

**FROM:**  Amy L. Smith-Rubeck, MA, LMHC  
Director of Policy

**DATE:** March 26, 2008

#### **Technical Assistance Bulletin**

**TAB 2007-10**

#### **Additional Clarification of IC 22-4.5-7-6, IC 22-4.5-7-7 and IC 22-4.5-7-8 Restrictions on Regional Workforce Board Members, Regional Operators and Service Providers**

##### ***Purpose***

To provide additional clarification of restrictions surrounding relationships between Regional Workforce Board Members, Regional Operators and Service Providers. It is the intent of this bulletin to provide supplemental clarification and guidance to TAB 2007-08.

##### ***Content***

TAB 2007-08 states:

1. A Regional Workforce Board member shall not serve as a Regional Operator, Fiscal Agent, Service Provider, or provider of direct client services in ANY region of the state at the same time.
2. A Regional Operator may serve as a fiscal agent in any region of the state. A Regional Operator shall not serve as a Service Provider, Regional Workforce Board member, or provider of direct client services in ANY OTHER region of the state at the same time.

Mitchell E. Daniels, Jr., Governor  
Teresa L. Voors, Commissioner

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Indianapolis, IN 46204-2277  
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3. A Service Provider shall not serve as a Regional Operator, Fiscal Agent, or Regional Workforce Board member in ANY OTHER region in the state at the same time.

Questions have been raised about whether a Regional Operator or Service Provider may operate in more than one Region at the same time.

The Department's interpretation of the above cited statute is as follows:

- A Regional Operator may serve as a Regional Operator in multiple Regions across the state. A Regional Operator shall not be a Service Provider in any Region of the state.
- A Service Provider may serve as a Service Provider in multiple Regions across the state. A Service Provider shall not be a Regional Operator or Fiscal Agent in any Region of the state.

### ***Effective Date***

While the Department acknowledges that the statutes cited above are currently in effect and in force, the Department also acknowledges that this interpretative guidance has previously not been available to the system. As a result, there are some entities serving as Regional Operators and Service Providers simultaneously at present. Therefore, the Department is setting the effective date of this interpretative guidance as July 1, 2008 in order to allow adequate time for these entities to come in to compliance with the statutes and for PY2008 planning purposes.

Questions regarding this TAB should be directed to Amy Smith-Rubeck, Director, Policy Unit, at 317.233.6078 or by e-mail at [ARubeck@dwd.IN.gov](mailto:ARubeck@dwd.IN.gov)



Technical Assistance Bulletin – 2007-10

March 26, 2008

Page 3 of 3

TAB Number	Subject Matter
2007-10	Additional Clarification of IC 22-4.5-7-6, IC 22-4.5-7-7 and IC 22-4.5-7-8 Restrictions on Regional Workforce Board Members, Regional Operators, and Service Providers
2007-09	Selective Service Registration
2007-08	Clarification of IC 22-4.5-7-6, IC 22-4.5-7-7 and IC 22-4.5-7-8 Restrictions on Regional Workforce Board Members, Regional Operators, and Service Providers
2007-07	Individual Employment Plans
2007-06	Trade Readjustment Allowance (TRA) Income Support
2007-04 Change 1	TAA Training Waivers, the Extension Process and Waiver Reviews
2007-05	WOTC Revised Forms
2007-04	TAA Training Waivers, the Extension Process and Waiver Reviews
2007-03	UI Eligibility Determination Communications
2007-02 (reissue)	Expansion of Technical Assistance through TABs
2007-01	Revision to Employment Eligibility Verification Form I-9
2006-08	Military Service Members/Spouses as WIA Dislocated Workers
2006-07, Change 1	Clarification - Guidance from the U.S. Department of Labor
2006-07	Guidance from the U. S. Department of Labor
2006-06, Change 1	Clarification - Out-of-School Youth Definition
2006-06	Out-of-School Youth Definition
2006-05	WorkKeys Certificates under the Youth Common Measures
2006-04	Repeating Classes or Tests Funded by the Workforce Investment Act
2006-03	Discontinuation of the Certificates of Technical Achievement Program
2006-02	Trade Adjustment Assistance - Qualifying Separation Date for Workers' Compensation
2006-01, Change 1	Clarification on DWD Communication 2005-26 (rescinded 8-22-07)
2006-01	Clarification on DWD Communication 2005-26 (rescinded 8-22-07)
2005-008	Youth as Displaced Homemakers
2005-007	Documentation Requirements – Katrina Victims
2005-006	Modifying Indiana's Eligible Training Provider List
2005-005	Special Endorsement for Indiana School Bus Drivers
2005-004	General Studies Degrees
2005-003	High School Diplomas for Individuals with Disabilities
2005-002	Incumbent Worker Councils
2005-001	Incentive Payments to WIA Participants
2004-001	WorkKeys Certificates
2003-007	Basic Skills Deficiency
2003-006	CPR or First Aid as a Credential
2003-005	Driver's License as a Credential
2003-004	"Temporary" Employee Eligibility for WIA Services
2003-003	Service Tiers & Partner Services
2003-002	Intensive and Training Services
2003-001	<del>WIA Citizenship and Registration for Selective Services</del> (rescinded 2-26-2008)
2003-000	Workforce Investment Act Technical Bulletins